

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ROBERT SIOLESKI,  
Plaintiff,

v.

9:04-cv-0282

D. WINCHIP, Corrections Officer;  
and C.O. BROWN,

Defendants.

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Thomas J. McAvoy,  
Senior United States District Judge

**DECISION & ORDER**

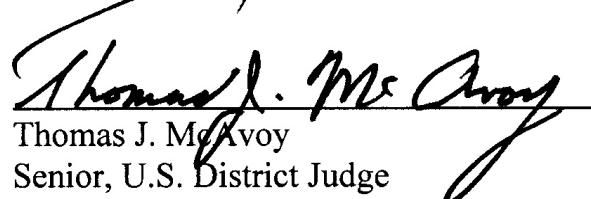
This *pro se* action claiming violations of Plaintiff's Eighth Amendment rights was referred to the Hon. David R. Homer United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.4. The Report-Recommendation dated January 30, 2006 recommends that Defendants' motion for summary judgment be granted. No objections have been filed.

After examining the record, this Court has determined that the Report-Recommendation and Order is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein. It is therefore

**ORDERED** that Defendants' Motion for Summary Judgment is **GRANTED** and the Complaint **DISMISSED IN ITS ENTIRETY**.

**IT IS SO ORDERED.**

Dated: April 22, 2006



Thomas J. McAvoy  
Senior, U.S. District Judge

